GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Revenue Department Sri T.M. Rahman, the then Town Planning & Building Overseer, Kadapa Municipal Corporation and now working as Town Planning Officer, Hindupur Municipality – Disciplinary proceedings under rule – 20 r/w rule - 24 of Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 – Articles of charge – Issued.

REVENUE (VIGILANCE-I) DEPARTMENT

G.O.RT.No. 798 Dated: 13-11-2024

Read:

G.O.Ms.No.241, Rev. (Vig.I) Dept., dt: 30.10.2024

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ORDER:

In pursuance to the G.O read above, it is proposed to hold an enquiry against Sri T.M. Rahman, the then Town Planning & Building Overseer, Kadapa Municipal Corporation and now working as Town Planning Officer, Hindupur Municipality in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure- I). A statement of imputations of misconduct / misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge proposed to be sustained are also enclosed (Annexures-III)

3. Sri T.M. Rahman, the then Town Planning & Building Overseer, Kadapa Municipal Corporation and now working as Town Planning Officer, Hindupur Municipality is directed to submit, within 10 days from the date of receipt of this order, a written statement of his defence.

4. Sri T.M. Rahman, the then Town Planning & Building Overseer, Kadapa Municipal Corporation and now working as Town Planning Officer, Hindupur Municipality is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri T.M. Rahman, the then Town Planning & Building Overseer, Kadapa Municipal Corporation and now working as Town Planning Officer, Hindupur Municipality further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Attention of Sri T.M. Rahman, the then Town Planning & Building Overseer, Kadapa Municipal Corporation and now working as Town Planning Officer, Hindupur Municipality is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to her service under the Government. If any representation is received on her behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri T.M. Rahman, the then Town Planning & Building Overseer, Kadapa

Municipal Corporation and now working as Town Planning Officer, Hindupur Municipality is aware of such a representation and that it has been made at his instance and action will be taken against her for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the Order be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R.P. SISODIA
SPECIAL CHIEF SECRETARY TO GOVERNMENT (LANDS, R&S)

To
Sri T.M. Rahman, the then Town Planning & Building Overseer, Kadapa Municipal Corporation and now working as Town Planning Officer, Hindupur Municipality YSR District. (Through the Chief Commissioner of Land Administration, A.P., Mangalagiri for service and to return the served copy with dated acknowledgement immediately (By RPAD))
The Chief Commissioner of Land Administration, A.P., Mangalagiri
Copy to:
The District Collector, YSR District.
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI T.M. RAHMAN, THE THEN TOWN PLANNING & BUILDING OVERSEER, KADAPA MUNICIPAL CORPORATION AND NOW WORKING AS TOWN PLANNING OFFICER, HINDUPUR MUNICIPALITY.

Article of Charge No.I:-

That the said Sri T.M. Rahman, while functioning as T.P. & B.O., at Kadapa Municipal Corporation during the period of his association, had approved building plans in unauthorised layout against to the G.O.Ms.No.902, Dt:03-12-2007 in plots encroached into K.C. Canal land without ascertaining the boundaries and within a distance 9 M from the water bodies and thereby held responsible for the same.

Based on the petition by Sri Levaku Ramamohan Reddy, Bharatiya Janata Party. Kadapa on allegations in illegal encroachment of K.C. Canal land, Kadapa, the Vigilance & Enforcement Department has conducted enquiry and submitted their report vide Vigilance Report No 48 (C.No.915/V&E/D1/2015), Dt: 21-05-2019.

The layout developer in Kadapa Town has illegally encroached more than 5.00 acres of Kalva Poramboke land belongs to K.C. Canal in Sy. Nos 508, 509, 510, 511, 512, 513, 514 and 515 of Gudur Village and laid Cement road by destroying K.C. Canal siphon near Rama Rajupalli village. The Kadapa Municipal Corporation built cement roads, drains, construction of ELSR and provided water distribution pipelines in Vijaya Durga colony without land conversion and layout approval by incurring crores of Rupees to the streets even though there are no houses. The Town Planning officials of Kadapa Municipal Corporation were kept quiet without eviction of encroachments and encouraged real estate mala

The Municipal Corporation, Kadapa has approved 38 building plans in Vijaya Durga colony to the plots wherein government lands were partly encroached, without ascertaining the possession of the land as well as Zoning Regulations, which is highly irregular and fundamental breach to the role and responsibility. 38 building plans were approved by the Municipal Corporation, Kadapa in encroached K.C. Canal Poramboke land

The following building permissions have been approved by the Municipal Corporation, Kadapa during the tenure of the above said charged officer

Sl. No.	Name of the Building encroacher	Building Permission No.	Door.No.	Sy.No.	Total Plot/ site area (area in Sq.M)	Effected Building plinth Area /site area in water body	Effected building plinth Area/ site area in buffer zone for water body (area in

							Sq.M)
1	Sanginadham Padmavathi	241/08/G1/2008	75/25-1	511	133.42	113.42	20
2	Gudaram Parvathi	584/G1/2008	75/21-5	511	125.79	0	74.01
3	G.Bramaiah	496/G1/2012	75/3-17	515	122.37	0	48.61
4	M.H.Bharadhara Reddy	633/G1/2011	75/3-18	515	148	11.17	75.54
5	Sri Durga Apartment	487/G1/2012	Apartment	509	793.14	0	77
6	I.Venu gopal	265/G1/2009	75/5-6	509	189.5	0.48	45.12
7	Boyalakuntla Syamalamma	469/G1/2012	75/7	509	58.96	37.46	21.5
8	Shaik Sardar Basha	1250/G1/2011	75/1-12	514	191.7	87.77	0
9	S.Rajashekar Reddy	1319/G1/2011	75/1-112	514	96.79	0	0
10	Syed Sharza	1179/G1/2011	78/2-1	514	201.48	66.87	0
11	B.Venkatalakshumma	342/G1/2012	75/3-11	514	120.04	5.51	0
12	P.Swapnalatha	384/G1/2011	75/3-14	514	151.17	0	0
13	R.Srinivasa Phani Kumar	1247/G1/2011	75/3-12	514	106.89	0	0
14	Sri Vijaya Durga Apartment	427/G1/2007	Apartment	514	2135.75	0	0

Article of Charge No.II:

That the said Sri T.M. Rahman, while functioning as T.P. & B.O., at Kadapa Municipal Corporation during the period of his association, had failed to insist action for collection of 14% betterment charges and caused huge financial loss to the Municipal Corporation.

The Municipal Corporation, Kadapa has approved 38 building plans in government lands were partly encroached, without ascertaining the possession of the land as well as Zoning Regulations, which is highly irregular and fundamental breach to the role and responsibility. The building plans were approved by the Municipal Corporation, Kadapa in encroached K.C. Canal Poramboke land.

The Municipal Corporation, Kadapa has approved building plans without collecting 14% betterment charges, development charges, layout scrutiny charges, penalty and other charges applicable as per the rules in vogue. The charged officer has not insisted any action to collect the 14% betterment charges and other charges as mentioned above. As such caused huge financial loss to the Government as also to the Municipal Corporation, Kadapa.

Article of Charge No.III:

That the said Sri T.M. Rahman, while functioning as T.P. & B.O., at Kadapa Municipal Corporation had failed to discharge his legitimate with due care and diligence.

As evident from the above charges, the charged officer did not care to perform his duties properly. As mentioned in the above said charges, the Municipal Corporation,

Kadapa has approved the building plans in Vijaya Durga colony to the plots wherein government lands were partly encroached, without ascertaining the possession of the land as well as Zoning Regulations, which is highly irregular and fundamental breach to the role and responsibility. The building plans were approved by the Municipal Corporation, Kadapa in encroached K.C. Canal Poramboke land. The Municipal Corporation, Kadapa has approved the building plans without collecting 14% betterment charges, development charges, layout scrutiny charges, penalty and other charges applicable as per the rules in vogue. As such caused huge financial loss to the Government as also to the Municipal Corporation, Kadapa

Hence, he failed to discharge his legitimate duties with due care and diligence

Article of Charge -IV:

That the aforesaid Officer has not acted upon in conformity with Rule-3 of APCS (Conduct) Rules, 1964, and thereby held responsible for the same.

The Rule 3 of APCS (Conduct) Rules, 1964, enunciate that

1. Every Government employee shall be devoted to his/her duty and shall maintain absolute integrity, disciplinary, impartially and a sense of propriety

2. No Government employee shall behave in a manner which is unbecoming of such employee or derogatory to the prestige of Government

3. No Government employee shall act in a manner which will place his official position under any kind of embarrassment

Thus, Sri T.M. Rahman, the then Town Planning & Building Overseer, Kadapa Municipal Corporation and now working as Town Planning Officer, Hindupur Municipality, APSCSC Ltd has shown laxity, indiscipline in attending official duties and exhibited lack of devotion to duty and there by contravened Rule 3(1)(2)(3)(4) (5) of APCS (Conduct) Rules, 1964.

R.P. SISODIA
SPECIAL CHIEF SECRETARY TO GOVERNMENT (LANDS, R&S)

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THEARTICLES OF CHARGES FRAMED AGAINST SRI T.M. RAHMAN, THE THEN TOWN PLANNING & BUILDING OVERSEER, KADAPA MUNICIPAL CORPORATION AND NOW WORKING AS TOWN PLANNING OFFICER, HINDUPUR MUNICIPALITY.

Based on the petition by Sri Levaku Ramamohan Reddy. Bharatiya Janata Party, Kadapa on allegations in illegal encroachment of K.C. Canal land, Kadapa, the Vigilance & Enforcement Department has conducted enquiry and submitted their report vide Vigilance Report No.48 (C.No.915/V&E/D1/2015), Dt:21-05-2019.

The layout developer in Kadapa Town has illegally encroached more than 5.00 acres of Kalva Poramboke land belongs to K.C. Canal in Sy. Nos.508, 509, 510, 511, 512, 513, 514 and 515 of Gudur Village and laid Cement road by destroying K.C. Canal siphon near Rama Rajupalli village. The Kadapa Municipal Corporation built cement roads, drains, construction of ELSR and provided water distribution pipelines in Vijaya Durga colony without land conversion and layout approval by incurring crores of Rupees to the streets even-though there are no houses. The Town Planning officials of Kadapa Municipal Corporation were kept quiet without eviction of encroachments and encouraged real estate mafia

The Municipal Corporation, Kadapa has approved 38 building plans in Vijaya Durga colony to the plots wherein government lands were partly encroached, without ascertaining the possession of the land as well as Zoning Regulations, which is highly irregular and fundamental breach to the role and responsibility. 38 building plans were approved by the Municipal Corporation, Kadapa in encroached K.C. Canal Poramboke land.

The Municipal Corporation, Kadapa has approved 107 building plans without collecting 14% betterment charges, development charges, layout scrutiny charges, penalty and other charges applicable as per the rules in vogue. As such caused huge financial loss to the Government as also to the Municipal Corporation, Kadapa

Hence, the charge.

R.P. SISODIA
SPECIAL CHIEF SECRETARY TO GOVERNMENT (LANDS, R&S)

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI T.M. RAHMAN, THE THEN TOWN PLANNING & BUILDING OVERSEER, KADAPA MUNICIPAL CORPORATION AND NOW WORKING AS TOWN PLANNING OFFICER, HINDUPUR MUNICIPALITY, ARE PROPOSED TO BE SUSTAIND:

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1) Vigilance Report No.48 (C.No.915/V&E/D1/2015), dt; 21.05.2019 Dpartment
2) Government Memo.No.2924401/Vig.III-1/2019, Dated.15-10-2020 and Dt:12-08-2022 and of Municipal Administration and Urban Development (Vig.III-1) Department.

R P SISODIA
SPECIAL CHIEF SECRETARY TO GOVERNMENT (LANDS, R&S,)

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE – IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SRI T.M. RAHMAN, THE THEN TOWN PLANNING & BUILDING OVERSEER, KADAPA MUNICIPAL CORPORATION AND NOW WORKING AS TOWN PLANNING OFFICER, HINDUPUR MUNICIPALITY, ARE PROPOSED TO BE SUSTAIND:

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-Nil-

R P SISODIA
SPECIAL CHIEF SECRETARY TO GOVERNMENT (LANDS, R&S,)

//FORWARDED::BY ORDER//

SECTION OFFICER